

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

SCOTT J. WOOD dba HOLLYWOOD ATLANTIC
ENTERPRISES, LLC and NANCY R. WOOD aka
NANCY L. RADA dba THE WOOD LAW FIRM



Order Filed on July 5, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 12-40153
Judge: KCF
Hearing Date(s): June 14, 2017
Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: July 5, 2017

Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

Applicant: Fox Hill Condominium Association, Inc.
Applicant's Counsel: Elizabeth K. Holdren, Esq.
Debtor's Counsel: Eric Clayman, Esq.
Property Involved ("Collateral"): 7 Black Pine Lane, Brielle, New Jersey
Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for _____ months, from _____ to _____.
Monthly Maintenance Fees in the amount of \$45.00 less \$0.13 Account Balance = \$44.87.
- ☐ The Debtor is overdue for _____ payments at \$ _____ per month.
- X The Debtors are overdue for a late fee on the 2017 Special Assessment in the amount of \$25.00
- ☐ The Debtor is assessed for _____ late charges at \$ _____ per month.
- X The Debtors are overdue for 2016 Special Assessment in the amount of \$369.00.
- X The Debtors are overdue for Capital Replacement Painting Project in amount of \$2,293.34.
- X The Debtors are overdue for Painting of Wooden Balcony in the amount of 240.75.
- X The Debtors are overdue for a 2017 Special Assessment in the amount of \$389.00
- ☒ Applicant acknowledges receipt of funds in the amount of \$ 15.00 received

after the motion was filed.

Total Arrearages Due \$ 3,361.96.

2. Debtor must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of \$ _____. Payment shall be made no later than _____. Payment shall be in certified funds, bank check or cashier's check.
- ☒ Beginning on July 1, 2017, regular monthly maintenance fees shall continue to be made in the amount of \$ 390.00.
- ☒ Beginning on July 1, 2017, additional monthly cure payments shall be made in the amount of \$ 300.00 until arrears of \$3,361.96 paid in full.

☐ The amount of \$_____ shall be capitalized in the debtor's Chapter 13 plan. The debtor's monthly payment to the Chapter 13 Trustee is modified to be \$_____ per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate payment: _____

☒ Regular monthly payment: Fox Hill Condominium Association
c/o Pinnacle Real Estate Property Management
P.O. Box 1082
Point Pleasant Beach, NJ 08742

☒ Monthly cure payment: Fox Hill Condominium Association
c/o Pinnacle Real Estate Property Management
P.O. Box 1082
Point Pleasant Beach, NJ 08742

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above when due or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorneys fees of \$ 350, and costs of \$ 181.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

Imaged Certificate of Notice Page 5 of 5

United States Bankruptcy Court
District of New JerseyIn re:
Scott J. Wood
Nancy R. Wood
DebtorsCase No. 12-40153-KCF
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 06, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Jul 08, 2017.

db/jdb +Scott J. Wood, Nancy R. Wood, 41 Kensington Road, East Hampton, NJ 08060-4344

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 08, 2017

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on July 6, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
 Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
 Andrew L. Spivack on behalf of Creditor Wells Fargo Bank, N.A. nj.bkecf@fedphe.com
 Brian C. Nicholas on behalf of Creditor Bayview Loan Servicing, LLC bnicholas@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 Brian E Caine on behalf of Creditor Mt. Holly MUA bcaine@parkermccay.com,
 BKcourtnotices@parkermccay.com
 Denise E. Carlon on behalf of Creditor Wells Fargo Bank, N.A.
 bankruptcynotice@zuckergoldberg.com, bkgroup@kmlawgroup.com
 Denise E. Carlon on behalf of Creditor Bayview Loan Servicing, LLC dcarlon@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 Elizabeth K. Holdren on behalf of Creditor Fox Hill Condominium Association, Inc.
 eak@hillwallack.com, fkm@hillwallack.com; jhanley@hillwallack.com
 Eric Clayman on behalf of Joint Debtor Nancy R. Wood jenkins.clayman@verizon.net
 Eric Clayman on behalf of Debtor Scott J. Wood jenkins.clayman@verizon.net
 Jane P. Nylund on behalf of Debtor Scott J. Wood jenkins.clayman@verizon.net
 Jane P. Nylund on behalf of Joint Debtor Nancy R. Wood jenkins.clayman@verizon.net
 John R. Morton, Jr. on behalf of Defendant Santander Consumer USA Inc.
 ecfmail@mortoncraig.com, mortoncraigecf@gmail.com; mhazlett@mortoncraig.com
 John R. Morton, Jr. on behalf of Creditor Santander Consumer USA, Inc.
 ecfmail@mortoncraig.com, mortoncraigecf@gmail.com; mhazlett@mortoncraig.com
 Jonathan B. Peitz on behalf of Creditor State of New Jersey Division of Taxation
 Jonathan.Peitz@dol.lps.state.nj.us
 Joshua I. Goldman on behalf of Creditor Bayview Loan Servicing, LLC jgoldman@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 Michael Frederick Dingerdisen on behalf of Creditor Wells Fargo Bank, N.A.
 nj.bkecf@fedphe.com
 Stephanie F. Ritigstein on behalf of Plaintiff Nancy R. Wood jenkins.clayman@verizon.net
 Stephanie F. Ritigstein on behalf of Plaintiff Scott J. Wood jenkins.clayman@verizon.net
 Stephanie F. Ritigstein on behalf of Joint Debtor Nancy R. Wood jenkins.clayman@verizon.net
 Stephanie F. Ritigstein on behalf of Debtor Scott J. Wood jenkins.clayman@verizon.net
 Steven K. Eisenberg on behalf of Creditor Omat I REO Holdings, LLC bkecf@sterneisenberg.com,
 jmcnally@sterneisenberg.com; skelly@sterneisenberg.com; bkecf@sterneisenberg.com

TOTAL: 22